IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM NO.67781-M of 2006
DATE OF DECISION.21.11.2006

Jagdish .....Petitioner

Versus

State of Haryana .....Respondent

CORAM HON'BLE MR. JUSTICE AJAI LAMBA

PRESENT Mr. Hemant Bassi, Advocate
Mr. Narender Sura, AAG, Haryana.

AJAI LAMBA , J(Oral)

It is not in dispute that the recovery has not been effected from the petitioner. It is contended on behalf of the petitioner that recovery effected from his son cannot possibly implicate the petitioner. The son of the petitioner namely Amit might have suffered an extra judicial confession in police custody , however, it has not led to any recovery. The other contention is that the land is not in possession of the petitioner in so much as there is civil dispute pending between the parties. Copy of the plaint has been placed on record as Annexure P1. It is also stated that there is no criminal record of the petitioner and the petitioner is not involved in any case of this nature.

Considering the fact that no recovery has been effected from the petitioner and there is a dispute with regard to the possession of land, this petition is allowed.

Bail to the satisfaction of Chief Judicial Magistrate / Duty Magistrate , Sonepat.

Heavy surety.

November 21,2006 **(AJAI LAMBA)**
mamta **JUDGE**